



GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2005 REGULAR SESSION

HOUSE BILL NO. 189

TUESDAY, FEBRUARY 22, 2005

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 11, 2005
10:21 a.m.

TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Kandie Allison

AN ACT relating to members of the United States Armed Forces.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 36 IS CREATED TO
READ AS FOLLOWS:

(1) Notwithstanding any other provision of law, a license, permit, or certification held by a member of the United States Armed Forces, including a member of the Kentucky National Guard or Reserve on federal active duty, that expires while that member is deployed overseas shall be extended until ninety (90) days after the end of the deployment.

(2) The hiring, licensing, permitting, or certifying authority shall renew a license, permit, or certification extended under subsection (1) of this section until the next date that the license, permit, or certification expires or for the period that the license, permit, or certification is normally issued, at no cost to the member, if that member:

(a) Requests renewal of the license, permit, or certification within ninety (90) days after the end of overseas deployment;

(b) Provides the hiring, licensing, permitting, or certifying authority with a copy of the member's official orders ending the overseas deployment; and

(c) Meets all the requirements necessary for the renewal of the license, permit, or certification, except that the member need not meet the requirements, if any, that relate to continuing education or training.

(3) (a) The possession by a member specified in subsection (1) of this section of a license, permit, or certification, together with orders for overseas deployment, shall constitute a de facto extension of the license, permit, or certification until its expiration pursuant to subsection (1) of this section or until the license, permit, or certificate is renewed by the hiring, licensing, permitting, or certifying authority, whichever occurs later.

1 **(b) The possession of a license, permit, or certification, together with orders for**
2 **overseas deployment, shall constitute, during the period specified in**
3 **paragraph (a) of the subsection, a defense to any charge for possession of**
4 **an expired license, permit, or certification by the member specified in**
5 **subsection (1) of this section.**

6 **(4) In order to avoid confusion regarding the status of a license, permit, or**
7 **certification, a service member specified in subsection (1) of this section may**
8 **provide the hiring, licensing, permitting, or certifying authority a copy of the**
9 **service member's overseas deployment orders. Upon receipt of the service**
10 **member's overseas deployment orders, the receiving agency shall indicate the**
11 **license as extended as provided in this section in the agency's records. Failure of**
12 **a service member to provide overseas deployment information to the hiring,**
13 **licensing, permitting, or certifying authority shall have no effect on the automatic**
14 **extension of the license, permit, or certification or its renewal as provided in this**
15 **section. No hiring, licensing, permitting, or certifying agency shall take any**
16 **adverse action with regard to the renewal of the license, permit, or certification of**
17 **a service member who has been the subject of an overseas deployment and who**
18 **has not notified the agency of the overseas deployment.**

Jody Richards
Speaker-House of Representatives

Paul Williams
President of the Senate

Attest: Lisa Pulliam
Chief Clerk of House of Representatives

Approved Eni Fitcher
Governor

Date March 11, 2005